

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dietle et al.

Customer No. 23,444

Serial No.: 09/320,222

Patent No. 6,227,547

Date Filed: May 26, 1999

Date Issued: May 8, 2001

For: High Pressure Rotary Shaft Sealing
Mechanism

Attorney Docket No. KAL048/133055

Mail Stop - M
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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NOTIFICATION OF ERROR IN PAYMENT OF FEE(S) AS A SMALL ENTITY
(37 C.F.R. § 1.28(c))

1. A small entity assertion was properly filed during the prosecution of this application.
2. This assertion of small entity status in this application and the payment of fee(s) as a small entity were made in good faith.

Error

3. Before the payment of the fee(s) listed below, a change occurred whereby small entity status could no longer be claimed for applicant for the subject case and, through a good faith error, the Office was not notified.
4. Of even date herewith, assignee filed a large entity assertion and maintenance fee transmittal for payment of the 11.5 year maintenance fee at the large entity rate.

Itemization of the Fee(s) Erroneously Paid as Small Entity

| FEE(S) ERRONEOUSLY PAID AS A SMALL ENTITY | FEE ACTUALLY PAID AS A SMALL ENTITY | DEFICIENCY OWED* |
|--|-------------------------------------|------------------|
| The 3.5 year maintenance fee paid on October 13, 2004 | \$470.00 | \$680.00 |
| The 7.5 year maintenance fee paid on September 4, 2008 | \$1,180.00 | \$1,720.00 |

WARNING: *The deficiency owed for each previous fee erroneously paid as a small entity is the difference between the current fee amount (for other than a small entity) on the date the deficiency is paid in full and the amount of the previous

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erroneous (small entity) fee payment. The total deficiency payment owed is the sum of the individual deficiency owed amounts for each fee amount previously erroneously paid as a small entity. Where a fee paid in error as a small entity was subject to a fee decrease between the time the fee was paid in error and the time the deficiency is paid in full, the deficiency owed is equal to the amount (previously) paid in error..." 37 C.F.R. § 1.28(c)(2)(i).

NOTE: 37 C.F.R. § 1.28(b)(2). "The date when a deficiency payment is paid in full determines the amount of deficiency that is due pursuant to paragraph (c) of this section."

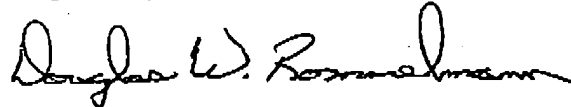
Total deficiency owed \$ 2,400.00

NOTE: 37 C.F.R. 1.28(d). "Payment of deficiency operates as notification of loss of status. Any deficiency payment (based on a previous erroneous payment of a small entity fee) submitted under paragraph (c) of this section will be treated under § 1.27(8)(2) as a notification of a loss of entitlement to small entity status."

Payment of Deficiency

5. The Commissioner is hereby authorized to charge the total deficiency owed and any additional fees required by this paper to Andrews Kurth Deposit Account No. 50-0897/133055

Respectfully submitted,



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